

CONTRACTOR'S AFFIDAVIT

STATE OF LOUISIANA
PARISH OF _____

CONTRACTOR NAME: _____

PROJECT NAME: _____

STATE PROJECT NUMBER: _____

FEDERAL AID PROJECT NUMBER: _____

PROJECT IN PARISH: _____

REGARDING WORK AT OR NEAR RAILROAD TRACKS OWNED BY: _____

With reference to the above contract you are respectfully notified that the undersigned contractor has completed the construction of the project which crosses or is adjacent to tracks at Station No. _____, as shown on the plans for said project.

Despite the requests and representations of the contractor, the railroad owner has declined, failed and/or refused to sign a release on your Form 671; nor has the railroad given us a letter stating their satisfaction with the work performed and/or the condition of the right of way at or near their tracks or in their right of way, and it appears that it will be impossible to ever secure such a release.

All of the work in connection with this construction project has been completed to the best knowledge of the undersigned contractor and to the satisfaction of the Project Engineer

In order, therefore, to secure acceptance of the project and payment of any funds now being withheld by the Louisiana Department of Transportation and Development (D.O.T.D.); the work of executing the construction at or near the railroad tracks in accordance with the terms of the contract and the Standard Specifications for Roads and Bridges, referred to in said contract, is hereby warranted as provided in Sections 104.05 and 107.17 of the Standard Specifications, 2006 Edition.

In addition, should any litigation develop in this matter between the railroad owner and the Louisiana D.O.T.D., arising out of such work and regardless of the formal acceptance of this work by the D.O.T.D., the undersigned contractor shall hold the D.O.T.D. harmless therefrom; defend such litigation; and pay any amounts in settlement thereof or adjudged to be due to said railroad owner.

CONTRACTOR'S AUTHORIZED AGENT:

TWO WITNESSES:

(SIGNATURE)

(1) _____
(SIGNATURE)

(PRINTED NAME)

(PRINTED NAME)

(2) _____
(SIGNATURE)

(PRINTED NAME)

SWORN TO AND SUBSCRIBED before me, this _____ day of _____, 20__.

(Notary Public Signature)

(Notary Public Printed Name & Notary Number)

FOR DOTD USE:

I hereby certify that I have personally examined the above described work and find same to have been performed in a satisfactory and workmanlike manner in accordance with the project's plans and specifications.

Project Engineer